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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,727	09/25/2003	Yasushi Mochizuki	CFA00030US	9429
34904 7590 07/17/2007 CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION 15975 ALTON PARKWAY IRVINE, CA 92618-3731			EXAMINER AMINI, JAVID A	
			ART UNIT 2628	PAPER NUMBER
			MAIL DATE 07/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/672,727

Applicant(s)

MOCHIZUKI ET AL.

Examiner

Javid A. Amini

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 37-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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The indicated allowability of claims 1, and 37-64 (renumbered claims as 1-29) is withdrawn in view of the newly discovered reference(s) to Kato et al., 6,016,362, and Owens et al. (US 2003/0202110). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,37, and 61 are rejected under 102(b) as being anticipated by Kato et al., 6,016,362 ("Kato"):

37. An image processing apparatus comprising:

an image designating unit adapted to designate continuous plurality images from an original range of images comprising a plurality of images (Kato, e.g. the "maker" of the image sequence specifies how each image in the sequence is to be cut, so that selecting continuous images is inherent, see column 3, lines 2-3, 8-9, 14-16, 23-27, 34-36, 39-42, 46-48, 51-53, 56-58, 65-67; column 4, lines 6-7, 11-12; and explicitly, a "sequence is made ... with a telecine apparatus" in column 4, lines 49-55, so that continuous images must inherently be designated, since they could not otherwise be cut; and "the resulting sequence of images ... is regarded as one with director's approval" in column 4, lines 64-65, so it is clear continuous images are designated);

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a trimming area determination unit adapted to determine trimming areas of at least two images from continuous plurality images designated by the image designating unit (Kato, column 6, lines 43-53, a rectangular 4:3 area with X_e center, $Film_e_width$, and $Film_height$ is "designated");

an area determination unit adapted to determine an area to be cut out of each of the continuous plurality images designated by the image designating unit based on the trimming area determined by the trimming area determination unit (Kato, the paragraph bridging cols. 7-8); and

a generating unit adapted to cut out the area determined by the area determination unit from each of the continuous plurality images, and to generate a range of continuous images comprising the continuous plurality images (Kato, column 9, lines 25-50).

61. An image processing apparatus according to claim 37,

wherein the area determination unit is adapted to determine a position and/or size of the trimming areas of each of the continuous plurality images designated by the image designating unit so as to proportionally change from the trimming area of the image determined by the trimming area determination unit to the trimming area of the other image determined by the trimming area determination unit is provided by Kato by a proportional change ratio of 4:3 in column 6, lines 43-67.

For claim 1, see the rejection of claim 37. A start and end frame are clearly inherent in the sequence of Kato.

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Alternatively,

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 37 is rejected under 102(e) as being anticipated by Owens et al. (US 2003/0202110).

An image processing apparatus comprising: an image designating unit adapted to designate continuous plural images-from an original range images comprising a plurality of images;

(Owens discloses selecting or designates a plurality of continuous images, which is disclosed by the "sequence of images [0014], or GOP (group of pictures) from MPEG definition [0015] wherein the video is partitioned into segments [0016] which the claimed "to designate continuous plural images from an original range of images".)

a trimming area determination unit adapted to determine trimming areas of at least two images from continuous-plural images designated by the image designating unit;

(Next, Owens discloses in paragraph [0018] "The operator.. .can pause the video or sequence so that a **single image** is presented within area 106 for consideration" then allows the operator to " ...zoom in or out so that area 106 includes an entire image or only a **part of an image..** ." and finally "Image processing, including for example...**auto-cropping** may be performed on a **selected image**".

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This paragraph clearly discloses trimming areas. Further as to "at least two images from two from continuous plural images ... this is disclosed in the first 2 lines of paragraph [0019] which states, "Once an image or sequence of images for one area is selected..."

an area determination unit adapted to determine an area to be cut out of each of the continuous plural images designated by the image designating unit based on the trimming area determined by the trimming area determination unit: and

(The area determination unit is disclosed by the process of the operator selecting a "**part of a n image**" as disclosed in paragraph [0018])

a generating unit adapted to cut out the area determined by the area determination unit from each of the continuous plural images, and to generate a range of continuous images comprising the continuous plural images.

(Once one or more of "part of an image", the "sequence of imaged for one area is selected" and presented in area 106. That is, the generating unit ... to generate a range of continuous images is disclosed by the step of providing a "sequence of sill images" to one of the selected regions such as region 104, 106, 108, etc., see also paragraph [0020].)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Javid A Amini
Examiner
Art Unit 2628

J.A.



KEE M. TUNG
SUPERVISORY PATENT EXAMINER